

Joshua Koltun (Bar No. 173040)  
One Sansome Street  
Suite 3500, No. 500  
San Francisco, California 94104  
Telephone: 415.680.3410  
Facsimile: 866.462.5959  
joshua@koltunattorney.com

Attorney for Nonparty Witnesses  
Marine Taxonomic Services, Ltd,  
Below the Blue, Seth Jones, and  
Monique Rydel-Fortner (“BTB-MTS”)

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CALIFORNIA SPORTFISHING  
PROTECTION ALLIANCE,

Plaintiff,

v.

PACIFIC BELL TELEPHONE COMPANY

Defendant

Case 2:21-cv-00073-JDP

PACIFIC BELL TELEPHONE COMPANY,

Movant,

v.

MARINE TAXONOMIC SERVICES, LTD.

Respondent

Case No. 2:24-cv-00022-KJM-JDP

**SECOND DECLARATION OF JOSHUA  
KOLTUN IN SUPPORT OF  
BTB-MTS’S MOTION TO SHIFT  
COSTS**

Zoom Hearing: January 9, 2025

Time: 10 am

Courtroom 9

Judge: Hon. Jeremy D. Peterson

1 I, Joshua Koltun, declare as follows:

2 1. I attach as **Exhibit A** a joint press release that AT&T and the League to Save Lake  
3 Tahoe issued upon the settlement of this lawsuit, which is accessible at  
4 <https://www.keeptahoeblue.org/news/lead-cables-to-be-removed-from-lake-tahoe/>  
5

6 2. I wish to clarify that starting in January, once BTB/MTS was engaging the assistance  
7 of A&M, I began to segregate and separately enter the time I was spending on document review and  
8 production from work I was doing on the motion practice in preparation for the hearing on January 25.  
9 Of course, after January 25, I had nothing to work on besides compliance with the subpoena. The  
10 time entries I attached to my first declaration as Exhibit F exclude all the (segregated) time spent on  
11 matters other than compliance with the subpoena. Those time entries note communications with my  
12 clients, but it is possible that there were communications on other days as well. Once we began  
13 working with A&M, the document review was performed through Relativity software. Thus Jones  
14 and Rydel-Fortner were able to review documents, give them initial codes, add comments, and thus  
15 flag them for future review by others on the team, including myself.  
16

17 3. I have spent more than 24 hours drafting this reply brief and related papers, and request  
18 reimbursement for that number of hours, which, at my rate of \$550 an hour, equals \$13200. Adding  
19 that sum to the fees already incurred in seeking to obtain this award, yields a total of \$35365.  
20

21 4. I propose that any payment by AT&T be sent care of my offices to my trust account, so  
22 that I can ensure that Dow Jones and A&M are reimbursed for any funds owed to them. I of course  
23 will be aware of any payments Dow Jones has made to me, and I am also aware of advances that Dow  
24 Jones made to A&M, because these were routed through my accounts to A&M  
25  
26  
27  
28

1 I declare under penalty of perjury under the laws of the United States that the foregoing is true and  
2 correct.

3 Executed in San Francisco on December 2, 2024.

4  
5 A handwritten signature in black ink, appearing to read 'Joshua Koltun', is written over a horizontal line.

6  
7 Joshua Koltun  
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EXHIBIT A



- [Who We Are](#)
- [What We Do](#)
- [How You Can Help](#)
- [About Tahoe](#)
  
- [Shop](#)
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- [Advance Restoration](#)
  
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- [Combat Pollution](#)



Tags

[Combat Pollution](#), [Water Quality & Clarity](#), [Advocacy](#)

*The League is pleased to announce that eight miles of defunct, lead-sheathed telecommunication cables will be removed from Lake Tahoe by AT&T in coordination with our team at the League. Our shared goal with the company is to remove the cables by the end of 2024. If weather or legal procedure stand in the way, then we'll make sure the job is completed as early as possible in 2025.*

*This is a moment worth sharing, but it is not the finish line. The League will remain closely involved every step of the way, just as we have since learning about the cables, to ensure AT&T fulfills their legally binding commitment to remove the cables safely and quickly.*

*The announcement was shared in the press release below.*

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**AT&T Settles Lawsuit Regarding Lake Tahoe Cables**  
*League to Save Lake Tahoe to Support AT&T's Cable Removal*

DALLAS, TX, Sept. 18, 2024— AT&T (NYSE: T) has reached a settlement, subject to court approval, with the California Sportfishing Protection Alliance (CSPA) in a lawsuit, originally filed in January 2021, concerning the presence of two telecommunication cables in Lake Tahoe. AT&T will now resume working with the League to

“Multiple expert analyses have confirmed that the telecommunications cables in Lake Tahoe are safe and pose no threat to public health or the environment. While we’re confident in the strength of our case and the safety of the cables, this settlement represents an amicable resolution to litigation. With the litigation behind us, we are fulfilling our original commitment to remove the cables in Lake Tahoe,” said AT&T President-California Marc Blakeman. “In 2021, we agreed to remove these cables to avoid the distraction and expense of protracted litigation. Last summer, following news reports regarding the cables, we paused the removal process to allow for further analysis by experts. Now that these studies have been performed and confirmed the safety of the cables, we can return to our commitment to remove the cables.”

“We welcome this announcement and appreciate AT&T’s commitment to resume the removal of these cables. Lake Tahoe is a special place and deserves this kind of protective action to Keep Tahoe Blue,” said Chief Strategy Officer for the League to Save Lake Tahoe Jesse Patterson. “It’s encouraging to see a major corporation stand by its word, and we look forward to continuing our work with AT&T and regulatory agencies to ensure their commitment to remove the cables is fulfilled – both safely and in the near term.”

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#### About AT&T

We help more than 100 million U.S. families, friends and neighbors, plus nearly 2.5 million businesses, connect to greater possibility. From the first phone call 140+ years ago to our 5G wireless and multi-gig internet offerings today, we @ATT innovate to improve lives. For more information about AT&T Inc. (NYSE:T), please visit us at [www.att.com](https://www.att.com). Investors can learn more at [www.investors.att.com](https://www.investors.att.com)

#### About the League to Save Lake Tahoe

The League to Save Lake Tahoe is the donor-funded, science-based organization of environmental experts and Tahoe-lovers behind Keep Tahoe Blue. We have led the protection and restoration of the Lake Tahoe Basin since 1957 and remain the one organization who brings everyone together for the same goal – to protect Tahoe for future generations. Learn more, donate, and get involved at [keeptahoeblue.org](https://keeptahoeblue.org).

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[All are invited to “heal the land” at Tahoe Forest Stewardship Day, September 28](#)  
[This hands-on, outdoor, volunteer event is open to all and takes place at Rabe Meadow in Stateline, NV.](#)  
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